

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT TAYLOR,
Petitioner,

v.
JEFFREY BEARD, Commissioner,
Pennsylvania Department of Corrections,
et al.
Respondents.

CIVIL ACTION NO. 06-28

Chief Judge Donetta W. Ambrose

ORDER

AND NOW this 27th day of January, 2006, upon receipt and review of Respondents' MOTION TO DISMISS (Docket No. 4) and Petitioner's RESPONSE (Docket No. 6), it is hereby ORDERED and DIRECTED that Respondents' MOTION (Docket No. 4) is **DISMISSED WITHOUT PREJUDICE**.

BY THE COURT:



Donetta W. Ambrose
Chief United States District Court Judge
Western District of Pennsylvania

cc: All counsel of record